

**SENATE, No. 3081**

---

**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

---

INTRODUCED MARCH 13, 2017

**Sponsored by:**

**Senator GERALD CARDINALE**  
**District 39 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senator A.R.Bucco**

**SYNOPSIS**

Establishes the “Affordable Housing Obligation Study Commission.”

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/26/2017)**

S3081 CARDINALE

2

1 AN ACT establishing the “Affordable Housing Obligation Study  
2 Commission.”

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6

7 1 a. The Affordable Housing Obligation Study Commission is  
8 created in, but not of, the Department of Community Affairs. The  
9 commission shall be independent of any supervision or control by  
10 the department except as expressly authorized under this act.

11 b. The commission shall consist of seven members as follows:  
12 the Executive Director of the New Jersey Housing and Mortgage  
13 and Finance Agency, ex officio, and six public members. Of the six  
14 public members, one shall be appointed by the President of the  
15 Senate, one shall be appointed by the Speaker of the General  
16 Assembly, one shall be appointed by the Minority Leader of the  
17 Senate, one shall be appointed by the Minority Leader of the  
18 Assembly, and two shall be appointed by the Governor, one from a  
19 list submitted by the League of Municipalities, and one from a list  
20 submitted by the Fair Share Housing Center. A vacancy occurring  
21 shall be filled in the same manner as the original appointment, but  
22 for the unexpired term only.

23 c. The commission shall organize as soon as may be practicable  
24 following the appointment of a quorum of its members, to elect a  
25 chairperson, and to select a secretary, who need not be a member of  
26 the commission. The commission may formulate and adopt rules of  
27 procedure and operation in furtherance of its responsibilities. The  
28 commission may divide itself into such subcommittees and task  
29 forces, which task forces may include persons other than members  
30 of the commission such as academics, government officers or  
31 professionals, and may enter into such cooperative arrangements  
32 with academic or research institutions, as it deems necessary to  
33 accomplish its purposes. Persons serving on task forces other than  
34 members of the commission shall serve at the appointment of the  
35 chairperson and shall be non-voting participants in the task forces.  
36 The commission may meet and hold hearings at such places and  
37 times as it shall designate.

38 d. The members of the commission shall serve without  
39 compensation, but shall be entitled to reimbursement for all  
40 necessary expenses incurred in the performance of their duties.  
41 Each member of the commission may be removed from office by  
42 the Governor, for cause, upon notice and opportunity to be heard.

43 e. The duties of the commission shall be to:

44 (1) examine and study the history of affordable housing in New  
45 Jersey and how past practices at the State and local level have  
46 resulted in the State’s current legal framework.

47 (2) analyze past guidance from State agencies and advocacy  
48 groups to municipalities with respect to methods of satisfying

**S3081 CARDINALE**

1 existing and future affordable housing obligations to determine  
2 whether such guidance has been effective.

3 (3) Analyze the actual and projected population increases in the  
4 State, the number of affordable housing units actually needed to  
5 serve the needs of residents.

6 (4) hold such public hearings and other activities as may be  
7 desirable, at the discretion of the commission, to ensure adequate  
8 public input into the preparation of a report.

9 (5) gather and disseminate such information on housing needs  
10 and strategies as may be useful for the work of the commission and  
11 informative to the public.

12 (6) prepare, adopt, and publish a report, not later than the 365th  
13 day next following the organization of the commission, that  
14 provides recommendations to municipalities regarding strategies  
15 which could be utilized to meet affordable housing obligations, and  
16 to State agencies on how best to assist municipalities in meeting  
17 affordable housing obligations.

18 f. Upon the publication of the report by the commission  
19 pursuant to this section, the commission shall immediately expire.

20 g. The Department of Community Affairs shall provide such  
21 staff services as may be needed for the commission to carry out its  
22 responsibilities, including assembly of necessary information and  
23 statistics, preparation of draft reports and analyses, and preparation  
24 of the report for review by the members of the commission.

25

26 2. This act shall take effect immediately and shall expire upon  
27 the publication of the report by the commission pursuant to  
28 subsection f. of section 1 of this act.

29

30

31

**STATEMENT**

32

33 This bill establishes the Affordable Housing Obligation Study  
34 Commission. The commission would consist of seven members as  
35 follows: the Executive Director of the New Jersey Housing and  
36 Mortgage and Finance Agency, ex officio, and six public members.  
37 Of the six public members, one would be appointed by the President  
38 of the Senate, one appointed by the Speaker of the General  
39 Assembly, one appointed by the Minority Leader of the Senate, one  
40 appointed by the Minority Leader of the Assembly, and two  
41 appointed by the Governor, one from a list submitted by the League  
42 of Municipalities, and one from a list submitted by the Fair Share  
43 Housing Center.

44 The commission would be required to:

45 (1) examine and study the history of affordable housing in New  
46 Jersey and how past practices at the State and local level have  
47 resulted in the State's current legal framework.

**S3081 CARDINALE**

- 1       (2) analyze past guidance from State agencies and advocacy  
2 groups to municipalities with respect to methods of satisfying  
3 existing and future affordable housing obligations to determine  
4 whether such guidance has been effective.
- 5       (3) Analyze the actual and projected population increases in the  
6 State, the number of affordable housing units actually needed to  
7 serve the needs of residents.
- 8       (4) hold such public hearings and other activities as may be  
9 desirable, at the discretion of the commission, to ensure adequate  
10 public input into the preparation of a report.
- 11       (5) gather and disseminate such information on housing needs  
12 and strategies as may be useful for the work of the commission and  
13 informative to the public.
- 14       (6) prepare, adopt, and publish a report, not later than the 365th  
15 day next following the organization of the commission, that  
16 provides recommendations to municipalities regarding strategies  
17 which could be utilized to meet affordable housing obligations, and  
18 to State agencies on how best to assist municipalities in meeting  
19 affordable housing obligations.
- 20       Under the bill, the publication of the report by the commission  
21 would trigger the immediate expiration of the commission.